

Tavistock Town Council

Observations of a Councillor (G Parker)

Considerations relating to planning application 0887/26/OPA

Outline planning application with all matters reserved except access for residential development to provide up to 143 dwellings (including affordable housing), provision of public open space (including dedicated ecological areas), access from Mount Tavy Road, Violet Lane & Green Lane, and associated drainage, landscaping and ancillary works

Applicant: Tavistock LVA LLP

1 5-year land supply

- 1.1 LVA is not a developer. It is a company owned by a group of investment companies and established as a land trader.
- 1.2 The company specialises in obtaining planning permissions which are then sold on to residential developers.
- 1.3 One thing that we can be certain of is that if the proposal at Violet Lane is granted permission, it will not be built by LVA. The residential developer who buys the site will use this permission as a starting point but will develop a completely new scheme tailored to their requirements.
- 1.4 This is a perfectly normal arrangement and can attract no criticism.
- 1.5 LVA is promoting the development on the basis that it will contribute to the resolution of WDBC's 5-year land supply problem. However, LVA themselves will not deliver this development, which will be passed to an as-yet-unknown third-party developer. There is no indication as to the amount of time that this will take and consequently, there is no certainty that the site will contribute to the 5-year land supply.
- 1.7 For the reasons set out in their objection and this report, Tavistock Town Council believes that the application should be refused. However, if WDBC is inclined to approve the application, then TTC requests that a condition be imposed requiring reserved matters to be submitted within 18 months of the date of the Outline approval and the development commenced within 1 year of the grant of reserved matters consent.
- 1.8 The reason for this is to secure that the development will contribute to solving WDBC's 5-year housing crisis.
- 1.9 The local planning authority has the power to do this under Sections 91 and 92 of the 1990 Town and Country Planning Act.

2 What policies apply to the proposal?

The Town Council believes that policies TTV26 and TTV27 of the JLP are the most important policies that apply to this development and that they should be accorded full weight

2.1 THE LAW

- 2.1.1 Nothing in current government policy detracts from the statutory duty set out in Section 38(6) of the 2004 Act

“... where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”

- 2.1.2 Paragraph 11 of the NPPF (a ‘material consideration with considerable weight’) adds a general proposition to the Act in the following way:

“Plans and decisions should apply a presumption in favour of sustainable development.”

- 2.1.3 It follows that there should be *no* presumption in favour of development that is unsustainable, or that cannot be *made* sustainable.
- 2.1.4 In section 3 of this report, the Town Council will argue that the proposal does not comprise “sustainable development” and cannot be made sustainable. If that is accepted, then the presumption in favour would not apply and the proposal would be in conflict with JLP and NPPF policies.
- 2.1.5 That should be the end of the matter, and the application should be refused.

2.2 THE ‘TILTED BALANCE’

- 2.2.1 Notwithstanding Section 2.1 above, the applicant relies on the application of what has become known as the “tilted balance”, in which a proposal that otherwise would not gain permission can have the planning balance tilted in its favour. This is also set out in paragraph 11 of the NPPF .

“For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

- 2.2.2 Before delving into the detail of the ‘tilted balance’ it is worth remembering that these policies only apply to development that is ‘sustainable’. If, as the Town Council submits, the proposal is not sustainable, then the ‘tilted balance’ discussion is academic.

- 2.2.3 However, if it was determined (against the evidence) that this proposal is ‘sustainable’ then the ‘tilted balance’ requires the following questions to be asked

Is the Joint Local Plan up to date?

- 2.2.4 The government’s increased housing requirements mean that the local planning authority has only a 2.53-year supply of deliverable housing land, rather than the 5-year supply required by policy. As a result, there are parts of the plan – those that relate to the provision of new housing - that are not up to date.

Is the whole Local Plan redundant?

- 2.2.5 It has been suggested by the applicant, and by some officers of the local planning authority, that the whole of the JLP should be accorded no weight.
- 2.2.6 The Town Council believes that this is wrong.
- 2.2.7 In explaining the meaning of the ‘tilted balance’, paragraph 16 of the NPPF reiterates very clearly that:
- “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making”**
- 2.2.8 Paragraph 11 d) of the NPPF quote above guides us, when considering the JLP, to consider **“where... the policies which are most important for determining the application are out of date”**.
- 2.2.9 It is well established that a plan’s policies (not the whole plan) can only be considered out-of-date if:
- They have been overtaken by changes in national policy.
 - Circumstances have changed on the ground making the policy (not the plan) obsolete (such as failing to maintain a 5-year housing land supply).
 - The policies conflict with a newly adopted plan or framework.
- 2.2.10 As set out in para 16 of the NPPF, Local Plan policies are still highly relevant, but there is a judgement to be made about the weight to be accorded to each of them.

Which policies are most important for determining this application?

- 2.2.11 There is a raft of JLP policies that apply to all proposals but the most important are those that promote ‘sustainable development’.
- 2.2.12 As part of the overall sustainability strategy for the area, the plan generally directs development toward the large towns and sustainable villages and away from countryside and unsustainable locations. In the context of a site such as this, outside the built-up area but adjoining it, the overriding policy is TTV26:

“Policy TTV26

Development in the countryside

The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals ...

2. Development proposals should, where appropriate:

- i. **Protect and improve public rights of way and bridleways.**
- ii. **Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.**
- iii. **Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.**
- iv. **Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.**
- v. **Avoid the use of Best and Most Versatile Agricultural Land.**
- vi. **Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.”**

- 2.2.14 There is nothing in this ‘sustainability’ policy that is rendered out of date by the absence of a 5 year-supply of housing land. It is not concerned with the provision of housing - rather it is concerned with the management and protection of the countryside, which remains a national policy objective.
- 2.2.15 It follows that TTV26 should be accorded the full statutory weight of the JLP. As it stands, the application satisfies none of the policies requirements.
- 2.2.16 Having said that, paragraph 5.169 of the JLP explains broadly that TTV26 has a dual purpose:

“The approach to managing change in the rural areas needs not only to provide adequate protection for the countryside, but will also reinforce the permissive criteria for sites that can be considered sustainable within and adjoining sustainable settlements”

2.2.17 The plan anticipates the need for a ‘permissive’ approach to sites such as the Violet Lane site, which *adjoins* a sustainable settlement.

2.2.18 This is achieved through policy TTV27:

“Policy TTV27

Meeting local housing needs in rural areas

Proposals for residential development on sites adjoining or very near to an existing settlement which would not otherwise be released for this purpose may be permitted provided that it can be demonstrated that:

- 1. It meets a proven need for affordable housing for local people.**
- 2. It includes a mix of affordable and market housing products where necessary to be financially viable. This includes open market housing, providing it does not represent more than 40 per cent of the homes or 40 per cent of the land take excluding infrastructure and services.**
- 3. Management of the scheme will ensure that the dwellings continue to meet the identified need in perpetuity.**
- 4. The proposal meets the requirement of all other relevant policies of the Plan.”**

2.2.19 This policy is *not* one that limits housing supply. On the contrary, TTV27 expressly *encourages* development in sites such as Violet Lane, simply setting out the criteria that such developments need to meet.

2.2.20 Government policy also promotes these same principles on sites adjoining settlements - meeting local housing needs, providing affordable housing, using open market housing to achieve viability, and ensuring that the need is secured in perpetuity.

2.2.21 It is clear that TTV27 has not been rendered out of date by the absence of a 5-year supply of housing, and that it remains in step with government policy. It should be accorded the full statutory weight “unless material considerations indicate otherwise”

2.3 THE APPLICANT’S APPROACH

Is the plan out of date?

2.3.1 The applicants state on several occasions that the whole JLP is out of date. They justify this only on the basis that it is now 7 years since adoption.

2.3.2 This is patently wrong – as set out above, the NPPF itself makes it clear that the term ‘out of date’ relates to the *policies* that are most important for determining the application.

2.3.3 Policies, for example, for Heritage, countryside protection, sustainable energy etc carry full weight, whilst policies relating to the supply of housing attract less weight. (The judgement about weight is one for the planning authority)

JLP Policy TTV26

2.3.4 Para 1.2 of the Planning Statement states that the site is *directly adjacent* to the built-up area and in 6.6, that such sites will be considered in the context of policy TTV26.

2.3.5 Having said that, the applicants’ Planning Statement claims that TTV26 is out of date and should be given reduced weight. It does not explain or justify:

- Why TTV26 should be considered out of date – the Town Council believes that it remains consistent with government policy to protect the countryside and is entirely relevant.
- What weight TTV26 should be accorded – for the reasons set out above, the Town Council believes that it should be accorded full statutory weight.

JLP Policy TTV27

2.3.6 Justifying their position in para 1.6 of the Planning Statement, the applicant states “*policies that limit additional housing supply are afforded less weight.*” The Town Council agrees with this as a matter of principle. However, JLP policy TTV26, which is a policy to protect countryside, must

be read along with TTV27, and TTV27 is most decidedly not “a policy that limits additional housing supply”.

- 2.3.7 On the contrary, TTV27 is exactly the opposite. It is a policy that *encourages* and *enables* sustainable housing development in locations such as this, and it should be accorded considerable - even full - weight.

‘Trajectory of government policy’

- 2.3.8 In para 5.31, the applicants’ planning consultant claims support for the above approach from the ‘trajectory of national policy’.
- 2.3.9 It is vital to understand that the trajectory of national policy is entirely consistent with the JLP:
- Neither promotes ‘development’ per se. Both promote ‘sustainable development’ and reject developments that are not sustainable.
 - Both make special provision for sites adjoining settlements
- 2.3.10 The Town Council believes that both TTV26 and TTV27 remain in accordance with current government policy and with the trajectory of emerging policy.

The applicant and the tilted balance

- 2.3.11 The applicant also claims the protection of the ‘tilted balance’. For the reasons explained above, the Town Council refutes that and believes that TTV26 and TTV27 should be accorded full weight.,
- 2.3.12 However, also as set out earlier, even if a local plan policy was found to be out of date, the ‘tilted balance’ would only be engaged if a proposal constitutes ‘sustainable development’. In the following chapter the Town Council shows that it does not.

2.4 CONCLUSION

- 2.4.1 The Town Council believes that policies TTV26 and TTV27 are fully engaged and should be accorded full statutory weight.
- 2.4.2 That does not prevent the applicants from submitting ‘material considerations’ that could set aside these policies ... which they have not.
- 2.4.3 However, whether or not these policies are engaged, the key question is still, “Does this proposal constitute sustainable development?”

3 Is this a sustainable development?

3.1 INTRODUCTION

- 3.1.1 Tavistock Town Council believes that this proposal does not constitute a sustainable development. Consequently, we believe that the presumption in favour does not apply, whether in principle or by application of the 'tilted balance'.
- 3.1.2 Both the NPPF and the JLP incorporate, amongst many other things, the following into the definition of 'sustainable development':
- easy and safe accessibility to a range of services via a choice of sustainable transport modes
 - provision of housing to meet identified local needs
 - sustainable layout design
- 3.1.3 The Town Council believes that this proposal fails on all three of these aspects and should be refused.

3.2 EASY AND SAFE ACCESSIBILITY

Pedestrians

- 3.2.1 The Transport Assessment (TA) relies on para 96 of the NPPF, which stresses convenience and attractiveness with regard to pedestrian routes, and which explains the importance of easy, safe and accessible pedestrian routes:
- "promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; ..."
- 3.2.2 This paragraph leads to the following stricture in the NPPF:
- "110 ...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."**
- 3.2.3 Following this stricture, the applicants' TA concludes that:
- "There are existing pedestrian facilities available within close proximity of the Application Site, which provides access to the various surrounding local facilities and adjacent residential areas"**
- 3.2.4 It embellishes this claim in the following way, at paragraph 4.25 of the TA:
- "A vast range of local facilities as summarised in Table 4.2 are located within the 2km walking distance that MfS suggests offers the greatest potential to replace car trips. Many are also accessible within 800m or 10-minute walk from the site, and the site is therefore considered to be in a 'walkable neighbourhood', as defined within MfS." (Note: MfS refers to the Manual for Streets)**
- 3.2.5 With respect to the applicant, this statement is arrant nonsense, for two reasons.
- "Many within 800 metres"**
- 3.2.6 The first point to make here is that the 'many' local facilities claimed by the applicant to be within 800 metres consist of no more than 3 bus stops and one school.
- 3.2.7 All of the other facilities – shops, schools, medical facilities, employment etc are considerably further away from the site than 800 metres.
- 3.2.8 Most are over 1 km from the site, and many involve a walk of 2km or more, especially Tavistock Hospital and Tavistock Primary School. Walking to these facilities, serving vulnerable and sick people, would involve some of the most arduous and pedestrian-unfriendly journeys in Tavistock.

Hostile pedestrian environment

- 3.2.9 The second point is that the applicant's conclusion ignores the reality of the situation, The fact is that the routes from the site to almost all of the town's facilities is arduous and often hostile, creating real barriers to pedestrian movement to and from the town centre.
- 3.2.10 The steep slopes into and out of the Tavy valley create their own challenges, even for fit people but, for long stretches, the pavements between Violet Lane and the town centre are inadequate, unsafe (often blocked by street furniture and telegraph poles) or non-existent. Curiously, and with more than a little irony, at paragraph 4.11, the TA describes the stretches with no pavements as '**shared space environments**', as if this is something to be desired.
- 3.2.11 Having said that, at para 3.29 of the TA, the applicants acknowledge that the topography and road network is "**challenging**" for pedestrians. (N.B The police reports substitute the more prosaic word "**steep**" for "**challenging**")
- 3.2.12 At para 6.28 the applicants go further, conceding that "**topography may mean this is not possible or attractive for some**".
- 3.2.13 When the applicants refer to "some people", it is worth considering who these people would be:
- older people who form a significant proportion of the people in housing need,
 - children travelling to Tavistock Primary School or Tavistock College
 - young families with prams,
 - people with mobility problems
- Even fit people would struggle to return uphill from the town centre laden with shopping.
- 3.2.14 These are people who we ought to be planning *for*, not creating places that isolate them!
- 3.2.15 The roads that host these pedestrian routes are most often bounded by substantial and ecologically important hedgerows and trees, making widening and the provision of footways impossible to achieve. As a result, the applicants make no attempt to create easy or safe pedestrian and cycle connections to the facilities mentioned in the Planning Statement 6.28.
- 3.2.16 This issue is persuasively demonstrated by Ms Dianne Giles in her audit of local pedestrian conditions submitted as a part of her objections to the proposal and we commend the local planning authority to give her comments substantial weight – especially her conclusion that this development "**may well be within 2km of services yet still function predominantly as a car dependent estate.**"

Conclusion on pedestrian access

- 3.2.17 In short, with this development, the car will be infinitely more attractive than walking and there is nothing that the applicant can, or will, do to affect that.
- 3.2.18 Despite this hostile environment for people on foot, the applicant still assumes that 20% of the morning and evening peak movements will be pedestrian. This is, *literally*, incredible, and the assessment of journey modes in section 6 of the TA grossly overstates pedestrian movements and understates car journeys.

Cycles

- 3.2.19 There are no dedicated local cycle routes and the only National Cycle Route could not be less accessible from this site, being on the far side of the town centre, across the river. Since its purpose is as a part of the National *leisure* cycling network, that route can serve no purpose at all in providing access for the residents of this estate to the services of the town.
- 3.2.20 Consequently, and quite rightly, the applicants downplay the potential for cycling to provide an alternative to the private car. They assume no more than a token 1% of cycle use (Table 6.4)

Buses

- 3.2.21 The 98 service serves this area, with 6 services daily each way, provided by a small bus to, and from Tavistock Bus Station, operating between 08.16 and 17.48. During each peak hour, the bus offers one journey to Tavistock Bus Station and one journey to Yelverton.

- 3.2.22 Currently, after travelling through the Greenlands Estate, the 98 bus passes along Violet Lane.
- 3.2.23 However, the application proposes to close Violet Lane rendering this part of the route impassable. Although we can find no reference to it, we assume that it will be rerouted through the main estate road.
- 3.2.24 The problem is that this road is proposed to have only a 5.5 m carriageway. This provides insufficient safe passing space in a road carrying a bus service along with general traffic including goods vehicles, refuse vehicles, emergency services etc. This road should be a minimum of 6m.
- 3.2.25 In conclusion, the application does not facilitate the use of buses by accommodating them properly within the development proposal

Conclusion on sustainable transport

- 3.2.26 The Town Council believes that this site is in an unsustainable location. The negligible alternative in the form of sustainable forms of transport encourages the use of the private car, and should be refused, being contrary to policy DEV10 of the JLP, Policy TC1 of the Neighbourhood Plan and to the principles and policies of the NPPF.
- 3.2.27 We draw support for this from a recent appeal decision (Ref: APP/Y3940/W/24/3348191) relating to a proposal by the same applicant, Rowde LVA LLP, for 50 dwellings at Rowde, near Devizes. Referring to a situation that closely resembles the Violet Lane proposal, the Inspector refused permission, partly on the grounds of unsustainable location:
- “25. The proposed development would also conflict with paragraph 110 of the Framework which provides that, amongst other things, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
26. Considering the poor accessibility of the site to essential services and facilities, the likely heavy reliance on the use of private vehicles by the future occupiers of the proposed new dwellings, and the quantum of development proposed (which is not insignificant), the harm identified on this main issue in relation to sustainable transport has been given significant weight in opposition to the proposed development.”
- 3.2.28 The Town Council urges the local planning authority to reach the same conclusion regarding the LVA's Violet Lane application.

3.3 PROVISION OF HOUSING TO MEET IDENTIFIED LOCAL NEEDS

JLP Policy TTV27

- 3.3.1 In Section 2 above, we set out that The Town Council believes that Policy TTV27 of the JLP is the appropriate policy against which this application should be judged and that it should be given full statutory weight. The policy is very clear in its purpose and scope and,
- “Policy TTV27
- Meeting local housing needs in rural areas**
- Proposals for residential development on sites adjoining or very near to an existing settlement which would not otherwise be released for this purpose may be permitted provided that it can be demonstrated that:**
1. It meets a proven need for affordable housing for local people.
 2. It includes a mix of affordable and market housing products where necessary to be financially viable. This includes open market housing, providing it does not represent more than 40 per cent of the homes or 40 per cent of the land take excluding infrastructure and services.
 3. Management of the scheme will ensure that the dwellings continue to meet the identified need in perpetuity.
 4. The proposal meets the requirement of all other relevant policies of the Plan.”
- 3.3.2 All parties agree that the Violet Lane site is in countryside adjoining the existing built-up area of Tavistock. It is a location and of a nature that would not otherwise be granted permission.
- 3.3.3 The applicants accept that both TTV26 and TTV27 apply to the proposal, albeit they argue that the policy should be accorded less than statutory weight.

- 3.3.4 The local planning authority's Affordable Housing Team also makes it very clear that TTV27 is the appropriate policy;

"The split of socially rented and intermediate properties should be compliant with the council's adopted Supplementary Planning Document at 65% and 35% respectively (paragraph 11.69, under TTV27) ..."

- 3.3.5 However, inexplicably, having properly identified policy TTV27 as applying to the development, neither the applicant nor the Affordable Housing Team actually applies it.

- 3.3.6 The policy requires three questions to be asked:

- 1 Is there a proven need for affordable housing for local people?
- 2 Does the proposal meet that need in a form required by TTV27?
- 3 If not, are there any material considerations that explain why permission should be granted for a proposal that conflicts with TTV27?

- 3.3.7 The Town Council believes that the combined answers to these questions lead to a very firm conclusion that the application does not constitute 'sustainable development' and does not benefit from the 'presumption in favour of sustainable development'.

Is there a proven need for affordable housing for local people?

- 3.3.8 The NPPF defines local housing need in the following way:

"The number of homes identified as being needed through the application of the standard method set out in national planning practice guidance."

- 3.3.9 West Devon Council has not provided Tavistock with a housing requirement or even an indicative number. Therefore, the only basis available for assessing 'local housing need' as defined by the NPPF is the requirement, across the whole district, for 426 homes each year.

- 3.3.10 It is worth recalling that Tavistock already has 600 homes in the pipeline – 350 at the Tors and 250 at Plymouth Road. However, it cannot be denied that 143 homes would contribute to meeting West Devon's need for 426 homes per annum.

- 3.3.11 Having said that, this conclusion simply deals with the *quantity* of housing. Within West Devon's overall requirement, Tavistock has a *critical* need for Affordable housing, evidenced by all levels of government from Central Government to Tavistock itself - including evidence gathered by the applicants themselves.

The government

- 3.3.12 In para 5.32 of their Planning Statement, the applicants emphasise a Written Ministerial Statement which stated:

- 1.3 million people are languishing on social housing waiting lists;
- Millions of low-income households are forced into unaffordable private rented housing; and
- More than 170,000 homeless children are living in temporary accommodation.

- 3.3.13 The Town Council agrees with the applicants when they say **"The Written Ministerial Statement is a material consideration ..."**

Devon Housing Commission

- 3.3.14 In their report of Summer 2024, the Devon Housing Commission stated very clearly in the Chairman's foreword that there is a County-wide crisis of Affordability;

"... as the evidence accumulated by the Devon Housing Commission shows, there is indeed a real housing crisis in this county. The problem is an acute shortage of homes affordable for the next generation.

This is not just about home ownership being beyond the reach of first-time buyers (even of those with incomes well above the average), the problem now covers rented homes as well. It is virtually impossible for those on average incomes or less to obtain a rented home that is both available and affordable. Devon is simply running out of any housing options."

West Devon Borough Council

3.3.15 West Devon declared a Housing Crisis in February 2022. The Council has since identified with the approach of the Devon Housing Commission

3.3.16 The applicants' Affordable Housing Statement provides the following summary of the situation in West Devon:

- “2.4 It is well known that there is a housing crisis in respect of affordability, but it is also an issue specific to the local area in which the application site sits – there are many households on the Council's waiting list who are seeking affordable housing in West Devon.
- 2.5 We submitted a Freedom of Information (FOI) request to West Devon Borough Council in December 2025 and received a response on the 18th December 2025. As of the 18th December 2025, there were the below number of people registered on West Devon Borough Council's Home Choice register, which includes 302 households with a preference for Tavistock and 658 individuals with a preference for Tavistock.
- 2.6 There is clearly a strong demand for and a significant under supply of affordable housing in West Devon. The addition of the affordable housing units at the application site will, therefore, very much assist in meeting local housing need. The significant contribution of affordable housing in this location is, therefore, considered to be a considerable benefit of the proposals and should be given very substantial weight in decision-making.”

3.3.17 This confirms very clearly and unequivocally that the applicants know that, as well as a need for housing in general, there is a significant undersupply of affordable housing in West Devon and that there is a significant need specific to Tavistock

Tavistock

3.3.18 As part of the Tavistock Neighbourhood Plan evidence base, Aecom was appointed to prepare a Housing Needs Assessment for the Town.

3.3.19 The output of that Assessment is validated very strongly by the results of the applicants' Freedom of Information request to West Devon Council. Aecom concluded that, in the period to 2034 (the Local Plan period), there is a need in Tavistock for:

- 324 affordable homes for rent
- 517 affordable homes for routes to ownership

Does the application meet that need in a form required by policy TTV27

3.3.20 The simple and obvious answer is, “No, it doesn't”.

3.3.21 Having identified and confirmed by Fol the critical need for Affordable Housing in the town, the application proposes 70% Open Market Housing and 30% Affordable Housing.

3.3.22 30% Affordable Housing is the *minimum* required by policy DEV8 of the JLP.

3.3.23 However, TTV27 requires a *maximum* of 40% Open Market Housing, with the remainder comprising Affordable Housing and other market products such as custom-built and self-built homes. There is no conflict between this requirement and DEV8's minimum requirement.

3.3.24 Meeting the TTV27 requirement for a 40-60 mix would *not* impact on the ability of the development to contribute 143 homes to the West Devon requirement of 426 homes p.a. and would comply with the requirements of the NPPF to significantly increase housing supply.

3.3.25 However, as it stands, the application fails to provide the mix of local affordable housing evidenced by government and local policy and required by the statutory Local Plan

3.3.26 By doing so, it fails to promote one of the government's key policy objectives for sustainable development, set out in the NPPF, which requires not only a *number* of homes but also a *range* of homes to meet the needs of people:

“a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; ...”

3.3.27 In failing to do this, the proposal does not contribute to the government's mission of achieving sustainable development - and thus, the presumption on favour does not apply.

- 3.3.28 Furthermore, it conflicts with the Development Plan both in the letter and the spirit of TTV27, and West Devon Council will not count it as sustainable development, as clearly set out in the JLP Supplementary Planning Document:

“11.69 40 per cent is the maximum permissible amount of open market housing, both in terms of the number of units, and site area, and is not the default threshold. If a proposal concludes that greater than 40 per cent open market housing is required to make a scheme financially viable it will not be considered policy compliant and will not be considered as sustainable development. The proportion of tenures within the affordable housing offer needs to comply with the most up-to-date needs figures held by the relevant LPA ...” (our emphasis)

Do any material considerations indicate why permission should be granted?

- 3.29 The proposal is in clear conflict with the housing mix element of TTV27, and the applicant has put forward no material considerations that indicate why 70% Open Market housing is preferable to a maximum of 40% as required by the Development Plan.
- 3.3.30 In addition, as set out earlier, the Town Council believes that the proposal will cause demonstrable harm in terms of traffic impact, sustainable transport, harm to Heritage. Thus, the proposal also conflicts the final provision of TTV27 – **“The proposal meets the requirement of all other relevant policies of the Plan.”**
- 3.3.31 Nothing in the application documentation provides any material consideration that indicates why permission should be granted in the face of these conflicts

Conclusion on housing

- 3.3.32 The proposal does not meet the requirements of Section 38(6) of the 2004 Act in respect of the provision of housing to meet local needs and conflicts with government policy set out in the NPPF. It cannot benefit, therefore, from the “presumption in favour of sustainable development”.

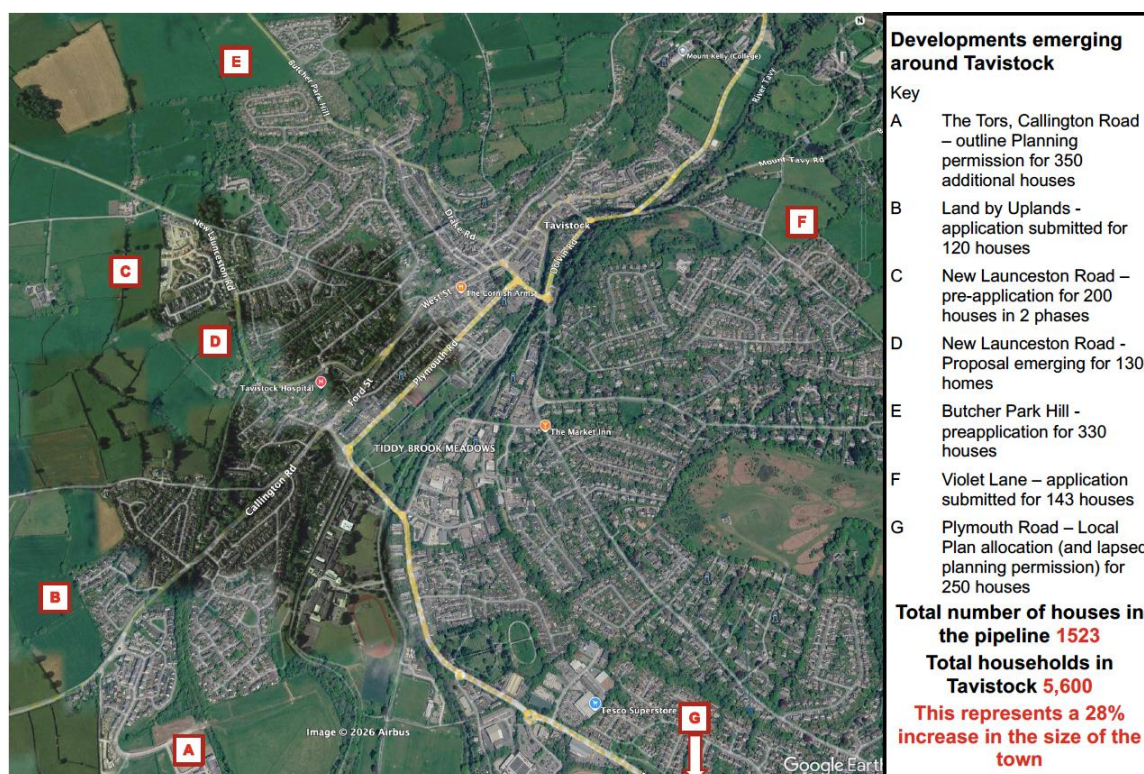
3.4 DESIGN

- 3.4.1 The Design and Access Statement is very persuasive that the development can incorporate principles of sustainable design both in the layout and building details.
- 3.4.2 However, since all matters other than access are reserved matters, it is not possible for the local planning authority to ensure that any of the matters set out in that document will actually be implemented.
- 3.4.3 Furthermore, LVA will not be the developer, and it simply isn’t possible to hold a future developer (who may well submit a completely new application rather than reserved matters) to any of the commitments on the DAS.
- 3.4.4 Sadly, even though it is well intentioned and of a reasonable high quality, the Design and Access Statement can carry no weight in the decision.

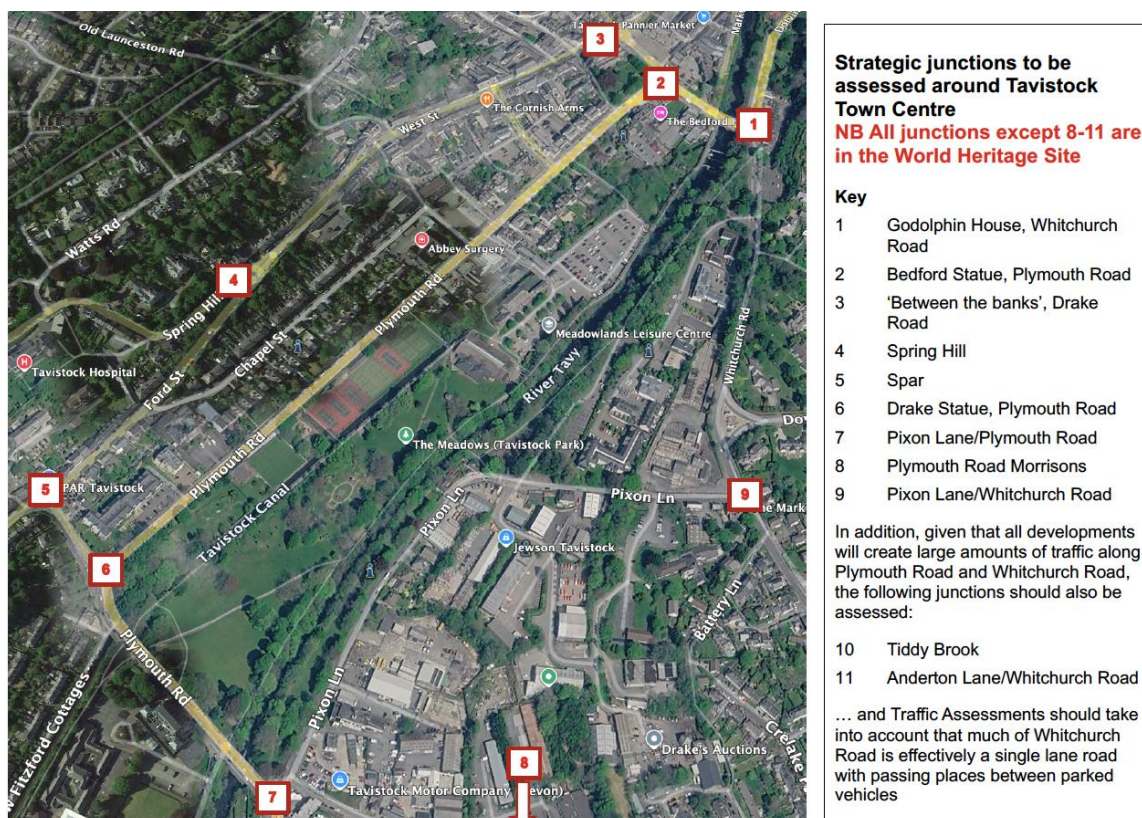
4 Traffic and cumulative impact

4.1 BACKGROUND

- 4.1.1 Paragraph 116 of the 2024 NPPF requires developers and decisionmakers to take account of the cumulative impact of a proposal on the highway network.
- 4.1.2 This is brought forward even more strongly in Policy TR6 of the draft revised NPPF published in December 2025:
- All development proposals should be capable of proceeding without having a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety, taking into account any mitigation measures proposed as well as any wider network improvements.**
 - In assessing potential impacts, all reasonable future scenarios should be considered, taking into account impacts at different times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself.**
- 4.1.3 The issue of impact – especially cumulative impact – on Tavistock's Highway network is vitally important because this site is merely one of a large number of sites that are coming forward for housing development. These sites currently total almost 1600 new homes – almost a 30% increase in the size of Tavistock!



- 4.1.4 Two of these developments – A and G – must be assessed as ‘committed’, with a total of 600 homes between them.
- 4.1.5 Site B – Uplands – is the subject of a planning application and is no less likely to gain planning permission than the site at Violet Lane. In addition, a further application has recently been made for yet another site at Violet Lane. These must also, therefore, figure in an assessment of “**potential cumulative impacts**” as required by the emerging NPPF
- 4.1.6 Each of the developments will have an impact on most of the junctions in the centre of Tavistock.
- 4.1.7 All of the town centre junctions are in the World Heritage Site and the Conservation Area. The opportunities for extending and improving them and their approaches is severely constrained and, for some, it would be impossible without harming the character and appearance of the WHS and CA.



- 4.1.8 It is a simple fact that Tavistock cannot offer nearly enough job opportunities to accommodate the number of recent and proposed new residents. These residents will inevitably commute to Plymouth, Roborough and Derriford. Therefore, the impacts of development on the town centre junctions will be substantial, because they are all *en route* from one or more of the proposed developments to the largest single direction of travel – south along the A386.
- 4.1.9 Some of the impacts will, individually, be less than substantial given the location of developments and making reasonable assumptions about traffic flows. However, it is entirely possible that, cumulatively, they will have severe adverse impacts on the highway network.

Sites (see plan)			Junctions (see plan of Strategic junctions)										
			1	2	3	4	5	6	7	8	9	10	11
A	The Tors (remaining permission)	350											
B	Uplands	120											
C	New Launceston Road 1	200											
D	New Launceston Road 2	130											
E	Butcher Park Hill	330											
F	Violet Lane	143											
G	Plymouth Road (LP allocation)	250											

Key

- Development will have significant impact on junction
- Development will have impact on junction, albeit less significant

- 4.1.10 All of the developments – including Violet Lane, will direct significant amounts of traffic toward Plymouth Road South, with severe impacts on the junctions at Spar, Drake, Pixon Lane/A386, Morrisons and Tiddy Brook. N.B. The Uplands application sets out that the Pixon Lane/A386 junction is *already* overloaded whilst the Violet Lane application reaches the same conclusion for the Godolphin (Abbey Bridge) junction
- 4.1.11 The Morrisons junction at Plymouth Road will be especially affected by committed site G. It is anticipated that 60% of the residential traffic and 70% of the employment traffic from that site¹

¹ These figures are taken from figures 6.1 and 6.2 of the Traffic Assessment accompanying planning permission 3614/18/OPA granted to Linden Homes

will turn left out of the site to use the Morrisons' island – some will continue on north, but the vast majority will U-turn to travel south.

- 4.1.12 The potential traffic impacts on the Morrisons junction of the Plymouth Road residential and employment development, along with recent retail developments at Morrisons and the 350 houses remaining of the Tors development, cannot be overstated. These developments must be assessed in advance of the Violet Lane site in any cumulative impact assessment.
- 4.1.13 Each of the developments that have published Transport Assessments (including the site at Violet Lane) argues that their *individual* impact on various nearby junctions will be insignificant and that there will remain capacity on each after their development is complete.
- 4.1.14 However, the cumulative impact of almost any combination of the developments – even those with less significant impact - in the heart of the town centre and World Heritage Site, could be catastrophic in terms of congestion.
- 4.1.15 All of those in the pipeline so far would, together, increase the traffic on these junctions severely and are likely to push many of them over their limit.
- 4.1.16 Despite this, none of the developments, least of all the current proposal at Violet Lane, has carried out such an assessment.
- 4.1.17 This is partly because there is no base model for each developer to 'feed into' in order to carry out such a comprehensive assessment.
- 4.1.18 Currently, DCC does not hold base data on traffic flows, relying on data produced by the applicants. In order for assessments of individual developments to be meaningful, it is vital that all applicants should develop their assessments from a common database developed by the local authorities.
- 4.1.19 *Tavistock Town Council, therefore, supports local residents and the Town's MP, in urging Devon County Council, as a matter of urgency, to prepare a traffic model to enable the work required by national and local policy to be carried out. The Town Council asks to be consulted in commissioning this work.*

4.2 TRIP RATES

- 4.2.1 At paragraph 6.4 of the Transport Assessment, the applicants assess that in peak hours, the development will generate 0.5 two-way trips per dwelling. This produces 75 vehicle movements in the morning peak and 74 in the evening. They argue that these are the rates for an open market housing scheme and that, since the rates for affordable housing are lower, their assessment is robust.
- 4.2.2 TRICS, the model used by the applicants, indicates that for a mixed private/affordable housing scheme one can expect between 0.4 and 0.8 vehicles per dwelling during peak hours. This range has been developed to capture a spectrum of situations:
 - 0.4 vehicles per hour can be expected where there is a good choice of alternative modes of travel to the private car - good pedestrian and cycle routes and frequent buses.
 - 0.8 vehicles per hour can be expected where alternative modes are poor or non-existent.
- 4.2.3 In the case of Violet Lane, it is clear that the applicants have selected a figure at the lower end of the range, despite the fact that (as set out in Section 3 of this report):
 - Pedestrian access to local services is arduous and unsafe and can be discounted.
 - Even the applicants do not consider cycling to be a significant mode.
 - In each peak hour there is only one small bus each way, either to Tavistock (a 10-minute journey) or Yelverton (a journey of over an hour)
- 4.2.4 The applicants have not justified their reason for using such a low trip generation in such an unsustainably located site. The Town Council believes that the evidence of negligible alternatives to the private car indicates that the appropriate Trip Rate should be 0.8 vehicles per hour. That would generate 115 vehicles per hour, rather than the applicants' estimate of 75.

- 4.2.5 In short, the applicants have severely underestimated the amount of traffic generated by this development in peak hours and should be asked to re-work their Assessment on a more rational basis.
- 4.2.6 This of course would have significant adverse consequences for the assessment of impact on Tavistock's already fragile highway network

4.3 JUNCTION ASSESSMENTS

- 4.3.1 The County Council has been urged consistently by residents, Tavistock's MP, West Devon and the Town Council to take a 'town-wide' approach to impact assessment, taking into account the cluster of junctions within the town centre and on its approaches.
- 4.3.2 Despite this, the County Council has chosen to ask the applicant to assess only the small number of junctions local to the development. The Town Council objects to this and requests that the County Council to require the applicant to [prepare full assessments of the impact of their development (along with other committed and potential developments) on the junctions set out above.

4.4 IMPACTS

Junctions over capacity

- 4.4.1 The applicant has assessed the impact of the proposal on a small number of junctions.
- 4.4.2 The conclusion of their assessment of most of the junctions is that they have sufficient capacity. However, their assessment of two of the junctions is bizarre to say the least:
- “7.47 The B3357 Mount Tavy Road/ A386 Stannary Bridge Road T-junction and the A386 Abbey Bridge / Whitchurch Road roundabout junctions are shown to exceed theoretical capacity when the committed development traffic is included, but prior to the proposed development being added.
- 7.48 The modelling undertaken therefore clearly demonstrates that the committed development traffic in the area will have an adverse impact on the operation of the junctions at peak times with increases in queuing expected. The proposed development will increase the RFC and Queue values further at the two junctions but the actual development traffic impacts will not exceed one additional vehicle per minute in each peak hour.
- 7.49 The level of development impact is therefore not considered to be severe in light of the requirements of the NPPF.”
- 4.4.3 The conclusion pressed on us by the applicant seems to be, in plain English, “**These junctions are already broken by other developments, so it doesn't matter if we build our houses – we can't break them any further!**”
- 4.4.4 The likely reality is that the correction of two errors will *treble* the development's impact on these junctions – which are already over capacity.
- the reallocation from Vigo Bridge Road (see 4.5.5 below) and
 - correcting the excessively low trip generation rate from the development (see section 4.2 above)
- 4.4.5 The Town Council has been advised that this is likely to cause gridlock and will take the impact of the proposal on this fragile part of the highway network into the 'severe' category. In accordance with paragraph 116 of the NPPF, this alone would warrant refusal of the proposal ... unless the applicants were able to propose appropriate mitigation, which they have not.
- Impact on town centre**
- 4.4.6 The Town Council knows from bitter experience that even limited congestion (from road works etc) can bring the town centre to a halt, affecting its vitality, viability and prosperity.
- 4.4.7 Permanent congestion of the junctions in and around the centre, together with the lack of a car parking to accommodate the increased traffic from the additional houses, will make it much more difficult to access the town centre for shopping, leisure, business and tourism, causing serious and ongoing harm to the centre of Tavistock.
- 4.4.8 The applicant has not assessed the potential for such harm and has made no proposal to mitigate it.

Impact on the World Heritage site

- 4.4.9 The junctions and carriageways within the World Heritage Site are heavily constrained by the urban form and historic fabric of the town. The opportunities to improve most (or even all) of these are very few. Indeed, none of the development proposals put forward – including the proposal at Violet Lane – has suggested any way in which traffic impacts could be mitigated without harming the fabric of the WHS.
- 4.4.10 Thus, traffic will be confined to existing carriageways and junctions with consequences for damage. This is particularly true of the Godolphin (Abbey Bridge) junction and the Mount Tavy Road/Stannary Bridge Road junction. We support the comment of the County Archaeologist:

“Consideration could also be given to the cumulative impact that development around Tavistock may be having on the town centre – which is part of the WHS. There is some evidence that construction traffic, and increased residential traffic, is damaging highway infrastructure, including public realm works put in some years ago”

4.5 ERRORS AND INCONSISTENCIES

- 4.5.1 The applicants' Transport Assessment (TA) contains a number of errors of fact and omission. The Town Council has already indicated that the Trip Generation rates used by the applicants is a serious underestimate but there are several additional issues that need to be considered
- 4.5.2 Together, correcting these would significantly change the potential impacts of the development on the network, including the most fragile junctions on the A386.

Pedestrians

- 4.5.3 For the reasons set out in Section 4 above, journeys on foot from this development are unlikely to be as high as 19% (Table 6.3 of the TA) due to the distances involved and topography.
- 4.5.4 It is far more likely that these trips will be made by car. Therefore, the 'car' trips set out in Table 6.4 are likely to be 97 (a.m. peak) and 95 (p.m. peak) rather than 75 and 74

Vigo Bridge Road

- 4.5.5 In Table 6.5 of the Transport Assessment, the applicant assigns 35% of the traffic generated to Vigo Bridge Road and then to the town centre.
- 4.5.6 This appears to be a significant error since there is no left turn from Vigo Bridge Road to permit this movement. There are three possible explanations for this:
- 1 The vehicles could all enter the multi-storey car park. This is highly unlikely to be the case in the morning peak, before the shops and most businesses are opened.
 - 2 The traffic could turn right along Parkwood Road – if this were the case, then it would be reflected in the amount of traffic assumed to travel north along the A386, which it is not, since that stretch of road is allocated only 7% of the traffic generated by the development.
 - 3 The most likely explanation is that this 35% of traffic was intended, erroneously, to go south from Tavistock via the town centre - a move which, patently, it cannot make.
- 4.5.7 Taking explanation 3 as the most likely, this traffic should be allocated to the A386 South, bringing that movement up to a much more believable 61%. This, of course, would make a huge difference to the impacts on the already-overloaded Stannary Bridge Road and Abbey Bridge junctions and to the Bedford, Drake, Pixon Lane and Morrisons junctions.

Date of the traffic count

- 4.5.8 The Violet Lane application appears to be based on traffic counts carried out in November 2025. We understand that November is generally not recommended for standard traffic surveys and that official guidance considers them "non-neutral" months.
- 4.5.9 This is certainly true of Tavistock. We are a market town, a tourist destination and a business centre that experiences many 'peaks' in activity during the year. These are not just the normal Christmas and Easter but also extended periods in summer and at major events such as Goose Fair, Carnival, Tavi Pride, Tavi Fringe etc.

- 4.5.10 However, the dark winter days of November probably represent some of the lowest traffic movements during the year.
- 4.5.11 Other developments have surveyed in different months. For example, the Uplands application is based on survey work done in June 2025. Whilst that is more acceptable in terms of timing, that work cannot rationally be reconciled with the Violet Lane data, which would be necessary to reach an accurate assessment of cumulative impact.
- 4.5.12 This reinforces the call for the Highway authority to commission a single traffic survey/model that can form the basis for assessing all future developments and we urge Devon County Council to do so.

TEMPro

- 4.5.13 The applicants use a growth model, TEMPro, that is based ONS household projections. The Town Council understands that those projections are based on the JLP requirement of 160 new dwellings per annum in West Devon.
- 4.5.14 However, the 2024 NPPF requires West Devon to provide 426 homes per annum into the foreseeable future.
- 4.5.15 Although this level of growth is known to the applicants (since it forms the basis for their planning statement) the Transport Consultant does not appear to have adjusted the model to account for this NPPF increase.
- 4.5.16 Thus, it is likely that the applicants seriously underestimate the growth in traffic anticipated by the planning process. (N.B. The Uplands Application also uses the same growth assumptions)